



PATENT/Docket No.: 00230.US1

Serial No.: 09/991,134

Page No. 1

**CERTIFICATE OF MAILING (37 CFR 1.8)**

Date of Deposit with U.S. Postal Service: 23 April 2002

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington D.C. 20231.

Debra J. MARQUETTE

Name of Person Mailing Paper

Debra J. Marquette  
Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Art Unit : Unknown  
Examiner : Unknown  
Applicant(s) : MJ Genin, MR Barbachyn, JB Hester, PD Johnson, FL Ciske  
Serial No. : 09/991,134  
Filed : 11/14/01  
For : Novel Bicyclic Isoxazolinones As Antibacterial Agents

Commissioner of Patents and Trademarks  
Washington, DC 20231

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL  
UNDER 37 CFR 1.97 AND 1.98**

Sir:

**Information Disclosed.** The information disclosed consists of the following:

[X] **Form PL-1449.** Provided herewith are copies of patent(s) and/or publication(s) as listed in the attached form PL-1449.

[X] At least to the extent required under §1.98(a)(3), a concise explanation of the relevance of references listed in form PL-1449 is:

- [X] contained in the above-captioned specification as filed;
- [ ] provided in a communication enclosed with this paper;
- [ ] provided in the International Search Report enclosed with this paper; and/or
- [ ] not necessary as all of the references cited are in the English language.

- ☐ ***Disclosure from Predecessor Application.*** Provided herewith is a copy (or the copy is already present in the present file wrapper in accordance with §1.53(d)) of one or more forms PL-1449 and/or search/examination reports of record in this or a predecessor application, Serial No. filed, the benefit of which is claimed under 35 USC 120. Copies of references are present in the prosecution history of the referenced application and are not supplied herewith pursuant to §1.98(d).

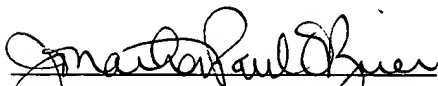
**Basis for Consideration.** This information disclosure statement is entitled to consideration by the Office under:

- ☒ **§1.97(b)**, as being filed within three months of the filing date of the above-captioned application and/or the date of entry of the National Stage, if later, and/or before the mailing date of the first Office action on the merits. Applicant(s) is/are unaware that any office action has issued in this case. However, in the event a first office action has issued, prior to the mailing of this document, then authorization is given to charge the late fee to the deposit account identified below.
- ☐ **§1.97(c)**, as being filed after the period specified in §1.97(b), but before the mailing date of a final action under §1.113 and/or the notice of allowance under §1.311. Consideration of this information disclosure statement at this time is requested for the reason checked below:
- ☐ **Authorization is hereby provided to charge Deposit Account No. 21-0718 the fee set forth in §1.17(p), \$240.00**, or such greater or lesser amount as the Commissioner may from time to time prescribe by rule. Triplicate copies of this paper are provided to facilitate the charge to the Deposit Account.
- ☐ A statement as specified in 37 CFR 1.97(e) below.
- ☐ **§1.97(d)**, as being filed after the period specified in §1.97(c), but on or before payment of the issue fee and is accompanied by:
- ☐ **Authorization to charge Deposit Account No. 21-0718 the fee set forth in §1.17(i), \$130.00**, or such greater or lesser amount as the Commissioner may from time to time prescribe by rule. Triplicate copies of this paper are provided to facilitate the charge to the Deposit Account.
- ☐ A petition requesting consideration of the information disclosure statement; and
- ☐ A statement as specified in 37 CFR 1.97 (e) below.
- ☐ **§1.97(e)**, this is a **supplemental information disclosure statement**. A prior information disclosure statement has already been filed. Applicant certifies, as provided in 37 CFR 1.97 (e), that

- ☐ Each new item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this statement.
- ☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing below, after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement.

**Disclaimer.** In accordance with §1.97(g) and (h), the filing of this information disclosure statement is not to be construed as an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56, and is not to be construed as a representation that a search has been made.

Respectfully submitted,

  
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Date: 4-22-02

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Attachment(s)

- ☒ Form 1449 with copies of reference(s)  
☐ Form 1449 from predecessor application (no references)  
☐ Communication providing concise explanation of relevance  
☐ International Search Report  
☒ Associate Power of Attorney

<b>LIST OF REFERENCES CITED BY APPLICANT</b> <i>(Use several sheets if necessary)</i>				Atty. Docket No. 00230.US1		Serial No. 09/991,134	
				Applicant      MJ Genin, MR Barbachyn, JB Hester, PD Johnson, FL Ciske			
				Filing Date      11/14/01		Group	

OFFICE  
 APR 26 2002  
 PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS								
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
	AA	4,965,268	Oct. 23, 1990	Wang, C-LJ, et al.	514	253	Mar. 15, 1990	
	AB	5,032,605	July 16, 1991	Wang, C-LJ et al.	514	376	Mar. 15, 1990	
	AC	5,036,092	July 30, 1991	Wang, C-LJ, et al.	514	376	Mar. 15, 1990	
	AD	5,036,093	July 30, 1991	Wang, C-LJ, et al.	514	376	Mar. 15, 1990	
	AE	5,039,690	Aug. 13, 1991	Wang, C-LJ, et al.	514	376	Mar. 15, 1990	
	AF	5,164,510	Nov. 17, 1992	Brickner, SJ	548	231	Feb. 20, 1991	
	AG	5,684,023	Nov. 4, 1997	Riedl, B., et al.	514	337	July 17, 1995	
	AH	5,792,765	Aug. 11, 1998	Riedl, B., et al	514	236.8	Feb. 3, 1997	
	AI							
FOREIGN PATENT DOCUMENTS								
		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	AJ	WO 99/64416	16 Dec. 1999	WIPO	C07D	413/14	X	
	AK	WO 99/64417	16 Dec. 1999	WIPO	C07D	413/14	X	
	AL	WO 00/10566	2 March 2000	WIPO	A61K	31/42	X	
	AM	WO 00/21960	20 April 2000	WIPO	C07D	413/14	X	
	AN							
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)								
	AO							
	AP							
	AQ							
	AR							
	AS							
	AT							
	AV							
Examiner				Date Considered				